

9/29

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - OCTOBER 6, 2004

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

10:00 A.M. - MISCELLANEOUS

Carroll	BRIAN & KELLY BANDY	7-04-02718	Callahan/So
	Trustee Motion to Dismiss or extend deadline for objecting to discharge, filed 9/2; d/e # 11 – <i>contd from 9/22</i>		
Hendricks	MICHAEL & DANA PROFFITT	7-04-03569	Callahan/SL
	Motion #1: Relief - filed 9/8; d/e # 10, 11 EMC Mortgage Corporation (Rosenberg) v. debtors & trustee – <i>Default Order entered 9/28</i>		
Copeland	GARY & CONNIE ARNOLD - Ch. 7	7-04-02609	Krippendorf/JM
	Motion # 1: Avoid lien [d/e # 11, 12] - <i>contd fr 9/8 to await return proof of serv.</i> Debtors v. Citifinancial, Inc. ()		
Snodgrass	ANTHONY & APRIL HUFF	7-02-04596	Allen/NS
	Motion of Trustee to Approve Agreement between debtor, trustee and Fred C. Bedwell Jr. Re: 40-acre parcel of realty located in Carroll Co VA filed 8/19; d/e # 57 (<i>objections due by 9/20</i>) – <i>Order of 9/29 that upon pmt of \$18,000 by Bedwell to trustee on behalf of debtor to the estate, any claim by trustee on behalf of estate is released , canceling 10/6 hrg.</i>		
Carmody	DAVID & BEVERLY YOUNG	7-04-03466	Vogel/SL

Motion #7: Relief - filed 9/9; d/e # 14, 15, 16
Greenpoint Credit (Smith) v. debtors & trustee
-Default Order of 9/27 granted relief

Abingdon Calendar - 10/6/04

10:00 A.M. - MISCELLANEOUS

Snodgrass	BRIAN IRVIN	7-03-01868	Shortridge/SL
	Motion for compensation of Trustee in amt of \$1,467.93 & \$159.87 expense filed 9/1; d/e # 41		

Carmody	ANN PHIPPS - Ch. 7	7-04-02542	Krippendorf/SL
	Motion # 1: Avoid lien—filed 9/7 [de # 15] Debtor v. Asset Acceptance Corp. () <i>-ORDER of 9/23 avoiding lien entered</i>		

Carroll	CHRISTOPHER & JULENE DUNFORD	7-04-03463	Vogel/SJ
	Motion #1: Relief - filed 9/9; d/e # 10, 11, 12 Greenpoint Credit LLC (Smith) v. debtors & trustee <i>-Order (Default) entered 9/23 granting relief</i>		

Farthing	WILLIAM & BARBIE KERLEY-ch7	7-04-02899	Krippend/NS
	Motion #1: Relief - filed 9/13; d/e # 11, 12 GMAC Mortgage (McQuiddy) v. debtors & trustee		

Hutchinson GENE & PAMELA KISER 7-04-03124 Callahan/AF
Motion #1: Relief - filed 9/10; d/e # 13, 15
National Bank of Commerce (Higgs) v. debtors & trustee
–Order (agreed) entered 9/17 granted relief

Abingdon Calendar - 10/6/04

10:00 A.M. - MISCELLANEOUS

Carmody MICHAEL & JOANN ASBURY 7-04-01110 Wick/JM
Motion to Reopen/Waive fee; file motion for sanctions for violation of stay
d/e # 17; (filed with proposed order) - *contd from 8/18 & 9/8 & 9/22*

Motion to Showcause: Contempt for violation of Stay; Imposition of Sanctions
against New Peoples Bank, filed 7/19; d/e # 18
Response to Motion for contempt, etc., filed 8/16, d/e # 19 ; *contd from 8/18 & 9/8 & 9/22*

Carmody DANNY & MARY ASBURY 7-04-02210 Wick/JM
Motion of Debtor to Redeem Property and fix Value of Personal Property,
Ford Explorer, @ \$200, filed 6/15; d/e # 14, 15 - *contd from 7/21, 8/16 & 9/22*

Motion # 1: Relief–filed 7/15 [d/e # 17, 19] - *contd from 8/4 , 8/16 & 9/22*
Transouth Financial Corp. (Zimm) v. Debtors & Trustee

11:00 A.M. - MISCELLANEOUS

Copeland G AND A COAL CO INC-ch7 7-99-02321 Callahan/SO
Motion (9th interim) for compensation of counsel (Goldstein)
for Trustee Callahan filed 9/15; d/e # 330

Lamie WALTER & REBECCA SPRINKLE 7-04-01592 DIP/S
A/P 7-04-00098: **Removal**: *(State Court Action Pending in Smyth Co. Circuit Ct for breach of warranty and negligence related to supply of electric power)*
Walter L. Sprinkle Jr. (Lamie) v. Appalachian Power Company and American Electric Power Co. (W.King) **filed by defendants**
–*Motion of Defendant/Movants to extend time to file Notice of Removal pursuant to BR9006(b) filed 9/14 . (Note Also: Request for Jury Trial)*
Objection of Debtor to Notice of Removal & Motion to Extend Time, **and Motioin to Abstain and Remand** filed 10/1; d/e # 3
Abingdon Calendar - 10/6/04

11:00 A.M. - MISCELLANEOUS

Copeland COAL RIVER RESOURCES, INC 7-04-00988 DIP/NS
Motion of Magee Foster Goldstein & Sayers, counsel for Debtor Hollow Mountain Resources, Inc.(Jointly Administered) for 1st interim fee of \$9,298.50 and expense of \$814.79 filed 9/17; d/e # 320 (Goldstein)

Motion of Debtor Hollow Mountain Resources, Inc/jointly administered, to Approve Insurance Premiuy Agreement with AICCO Inc. (Goldstein) filed 9/16; d/e # 317

1:00 P.M. - CONFIRMATIONS

Largen CURTIS MANN-chl3 7-04-02878 Widener/GR
–*mod plan filed 9/3; d/e # 15, 16, set for 10/20 @ 1:00 p.m.*

Fleenor MICHAEL ANDES 7-04-02857 Widener/SJ
Plan filed 7/9; d/e # 6, 13 - contd from 10/6
Obj: Highlands Union Bank (Hutton) filed 8/27; d/e # 17

Lamie	AMANDA BANDY	7-04-02184	Widener/GR
	Plan filed 5/17; d/e # 6 <i>contd from 8/4 & 9/8</i>		

Abingdon Calendar - 10/6/04

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Timoney	MICHAEL & REBECCA ANAUO	7-04-02893	Widener/NS
	Plan filed 7/14; d/e#6		

Valuation: 2001 Chev. Silverado: Sun Trust Bank, filed 8/26; d/e # 15

Valuation: Lawn Mower : Schewel Furniture; filed 8/26; d/e # 16

Valuation: 1990 Dodge Caravan: CitiFinancial; filed 8/26; d/e # 17

Motion #1: Avoid lien: filed 8/30; d/e # 18
Debtors v. Dr. Neil Hollyfield & Dr. Vincent Suple

Motion #2: Avoid lien, filed 8/30; d/e # 19
Debtors v. John M. Hart, MD (Bagwell)

Motion #3: Avoid lien - filed 8/30; d/e # 20
Debtors v. Ralph E. Sweeney t/a Western Auto

Motion #4: Avoid lien, filed 8/30 ;d/e #21
Debtors v. Twiin County Community Hospital

Motion #5: Avoid lien - filed 8/30; d/e # 22
Debtors v. Family Practice Associates of Twin Co, Inc. (Bagwell)

Abingdon Calendar - 10/6/04

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Largen	KEITH & JOELLA JOHNSON	7-04-03059	Widener/SJ
	Plan filed 7/26; d/e # 4		
	Trustee Report, Obj & Showcause: Dismiss/convert, filed 8/26; d/e #20		
	Valuation: AmeriCredit financial Services : 1997 Nissan 200SX filed 8/24; d/e#18		
	Valuation: Transouth Financial Corp : 1999 Mercury Cougar: filed 8/24;d/e # 19		

Hendricks	KEITH & KIMBERLEA GREGORY	7-04-02725	Widener/SL
<i>CASE DISMISSED 9/30 on motion of debtors</i>			
Valuation: GMAC and CT Corporation System, Registered Agent for 2001 Kia Rio: filed 8/13; d/e # 13 <i>—moot on dismissal</i>			

Magee	MELITA CORNS - Ch. 13	7-04-02025	Widener/VS
	Mod Plan filed 9/3; d/e # 33, with certif of service		
	Trustee's Report, Objection & Show Cause on Dismissal or Conversion filed		

7/21 [d/e # 22]
Trustee Report , Obj & Showcause (supplemental?) Filed 9/17; d/e # 34

–ORDER of 9/28 continued all matters to 10/20 @ 1:00 to hear w/valuation motions

Graham DUANE & JOYCE PRATER-chl3 7-04-00288 Widener/NS
Mod Plan filed 8/10 w/limited service, d/e # 71, 72
Obj: IRS (Eckert) filed 8/13; d/e # 76 –**Obj dismissed by order of 9/16**
Motion of Trustee to Showcause: Dismiss/convert, contd from prior hearings

Largen CHARLES & SUE TESTERMAN 7-04-3083 Widener/GR
Plan filed 8/10; d/e # 16 (service?)
Trustee Report, Obj. & Showcause: Dismiss/convert, filed 8/26; d/e # 24

Abingdon Calendar - 10/6/04

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Largen ROBERT & EVELYN ELLISON 7-04-03008 Widener/JM
Plan filed 7/21; d/e # 6
Trustee Report, Obj & Showcause: Dismiss/convert, filed 8/26; d/e # 15
Obj: (Eason) filed 9/27; d/e # 20 ** with Obj to valuation motion below included

Valuation: 2001 Kia Sephia: Kia Financial Services: filed 8/27; d/e # 17
Obj to Conf & Responise to Valuation Motion filed 9/27; d/e # 20 (Eason)

Farthing JIMMY & EDITH MORRISON - Ch. 13 7-04-02345 Widener/JJ
–**Mod Plan filed 9/28; d/e # 37, 38, conf set 11/17 @ 1:00**
Obj.: Countrywide Home Loans, Inc. (Sasser/HARMAN) [d/e # 17]

– *Relief Mot in transit to hear this date/time – rec'd w/1:30 pm ntc–see @ pg9*

Motion #2: Relief filed 9/17; d/e # 26, 30
HomeQ Servicing Corp (Christine Patterson) v. Debtors

Answer of Debtors filed 9/27; d/e # 34

Motion #3: Relief - from co-debtor stay filed 9/17; d/e # 28, 31

HomeQ Servicing Corp (Christine Patterson) v. Debtors & Edith Maxine Green, co debtor.

Note: A/P set 10/20 @ 9:30 Dbtrs v. Service Link - failure to pay 1st d/t from proceeds of refinancing

Timoney	JASON & MICHELLE LIDDLE - Ch. 13 Plan filed 7/15; d/e # 6	7-04-02935	Widener/AF
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Motion for Valuation of 1998 Jeep Cherokee; Regional Acceptance Corp.
(serve CT Corporation System), creditor [d/e # 14]

Obj of Debtor to Claim #1 of Option One Mortgage Corp, filed 8/26; d/e # 19

Abingdon Calendar - 10/6/04

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Proctor	JOYCE GILBERT Mod. Plan filed 8/16; d/e # 17, 18 Trustee Report, Obj & Showcause: Dismiss/convert, filed 7/26; d/e # 16 <i>cont fr</i> 9/8	7-04-02631	Widener/AF
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Farthing	JOE & SHARON SHAFFER - <i>Mod Plan filed 9/28; d/e # 19, conf hrg set 11/17 @ 1:00</i> Trustee Report, Obj & Showcause: Dismiss/convert, filed 8/26; d/e # 15	7-04-02927	Widener/JJ
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Carmody	WILLIAM & NICOLE COLLISON	7-04-02928	Widener/AF
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Plan filed 8/13; d/e # 16

Obj: Transouth (Zimm) filed 9/13, 04, d/e # 32

Trustee Report, Obj & Showcause: Dismiss/convert, filed 8/27; d/e # 29

Valuation: Transouth: 1997 Nissan, filed 8/23; d/e # 24

Obj: Transouth (Zimm) filed 9/13, 04, d/e # 31

Valuation: Dell Computer: Dell Preferred Account filed 8/23; d/e # 25

Valuation: 2001 Dodge: Household Finance, filed 8/23; d/e # 26

Answer filed 9/24; d/e#33, (Epps)

Valuation: Furniture: Wells Fargo, filed 8/23; d/e # 27

Largen	LAURA VASS	7-04-02788	Widener/NS
	Plan filed 7/2; d/e # 5		

Abingdon Calendar - 10/6/04

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Largen	MICHAEL BISHOP	7-04-03073	Widener/SL
	Plan filed 7/26; d/e # 6		

Largen	KAY BILLINGS	7-04-03074	Widener/SL
	Plan filed 7/26; d/e # 6		

Gifford	DAVID TABOR-	7-04-02757	*Callahan/SJ
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Case Converted to Ch 7 on 9/21*

Motion # 4: Relief–filed 9/8 (d/e # 37)

Washington Mutual Bank, FA (Wood) v. Debtor

Amended Mot. Filed 10/1; d/e # 60; adds Ch 7 trustee

see also 2:00 p.m. confirmation on Ch 12 (Wyatt #01-1301)

1:00 P.M.- MISCELLANEOUS

Timoney	JAMES & BONNIE CLINE	7-04-03166	Callahan/SL
	Motion #1: avoid lien, filed 9/1;d/e # 15, 17		
	Debtors v. Citifinancial Services Inc.		
	<i>–Order entered 10/4, (Default)</i>		
	Motion #2: avoid lien, filed 9/1; d/e # 16, 18		
	Debtors v. Equity One Consumer Loan Co		
	<i>–Order entered 10/4, (Default)</i>		

Largen	EDDIE & AMANDA RANKIN	7-01-04717	Largen/LM
	Motion to Approve Sale of house & Property & Motion to Shorten Notice filed 9/30		
	d/e # 59 (<u>with improper hearing date of 10/8</u>); Amended Notice filed 10/1 ; d/e # 60		

1:30 P.M.- MISCELLANEOUS

Farthing	JIMMY & EDITH MORRISON - Ch. 13	7-04-02345	Widener/JJ
	Motion #1: Relief - filed 9/8; d/e # 21, 24, 25		
	Schewel Furn. Co (Clark) v. debtors & trustee		
	<i>Movant certification filed 9/20; d/e # 32</i>		
	<u>Answer of debtors filed 9/27; d/e # 35</u>		

Abingdon Calendar - 10/6/04

1:30 P.M.- MISCELLANEOUS(

Farthing	THOMAS & PATRICIA WHITTINGTON	7-04-02386	Widener/GR
	Motion #1: Relief - filed 9/15; d/e # 22, 24; <i>movant's cert. 9/15; respondent's cert. 9/22</i>		
	HomeQ Servicing Corp (Wood) v. debtors & trustee		
	<u>Answer filed by Debtors 9/22 [d/e 3 25]</u>		

2:00 P.M. - MISCELLANEOUS

Lamie	BOBBY & BRENDA VENCILL-chl3	7-01-04512	Widener/LM
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Motion #3: Relief - filed 8/10; d/e # 78, 79—*see in brown accordian motions file*
United States of America/Dept of Agriculture,FSA (Eckert) v. debtors & trustee
Answer of Debtors filed 8/20; d/e # 85

2:00 P.M.- CONFIRMATIONS

Gifford	JAMES & LOIS WYATT	7-01-01301	Widener/S
	<u>Chapter 12</u> Modified Plan #4, filed 6/9; d/e # 140, 141 ; <i>contd from 8/4</i>		
	Trustee Report, Objection & Showcause: Dismiss/convert, filed 6/25; d/e # 143		
	Obj.: Commonwealth of Va. Dept. Of Taxation (Miner) [d/e # 145]		